

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

RICHARD THEIS, Derivatively on Behalf of
Nominal Defendant 2U, INC.,

Plaintiff,

v.

CHRISTOPHER J. PAUCEK, CATHERINE A.
GRAHAM, PAUL A. MAEDER, ROBERT M.
STAVIS, GREGORY K. PETERS, TIMOTHY M.
HALEY, VALERIE B. JARRETT, EARL LEWIS,
CORETHA M. RUSHING, SALLIE L.
KRAWCHECK, JOHN M. LARSON, EDWARD S.
MACIAS, and ALEXIS MAYBANK,

Defendants,

and

2U, INC.,

Nominal Defendant.

Case No. 1:20-cv-03360-PAC

**JOINT STATUS REPORT, STIPULATION, AND [PROPOSED] ORDER REGARDING
EXTENSION OF COURT’S ORDER STAYING CASE**

Plaintiff Richard Theis (“Plaintiff”), derivatively on behalf of nominal defendant 2U, Inc. (“2U”), and defendants Christopher J. Paucek, Catherine A. Graham, Paul A. Maeder, Robert M. Stavis, Gregory K. Peters, Timothy M. Haley, Valerie B. Jarrett, Earl Lewis, Coretha M. Rushing, Sallie L. Krawcheck, John M. Larson, Edward S. Macias, and Alexis Maybank (collectively the “Individual Defendants” and, together with 2U and the Plaintiff, the “Parties”) jointly submit this Stipulation to extend the stay of this action until five (5) business days after the United States District Court for the District of Maryland’s approval of the Settlement becomes final and non-appealable, and in support thereof state as follows:

WHEREAS, on May 25, 2023, the Court granted the Parties' request to extend the stay of the action until July 7, 2023, to allow the Parties to finalize the settlement documents (Dkt. No. 41); and

WHEREAS, on June 16, 2023, the Parties executed a Stipulation and Agreement of Settlement (the "Settlement");

WHEREAS, on June 22, 2023, a Motion for Preliminary Approval of the Settlement was filed in *Lucey v. Paucek, et al.*, No. 1:20-cv-02424-GLR (D. Md.) (Dkt. No. 49);

WHEREAS, pursuant to Section 3.2 of the Settlement, Plaintiff will file appropriate papers to effectuate the voluntary dismissal of his action with prejudice not more than five (5) business days after the approval of the Settlement becomes final and non-appealable.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the Parties hereto, through their undersigned counsel, subject to the Court's approval, as follows:

1. The proceedings in this Action, including all deadlines, hearings, and conferences, are temporarily stayed until five (5) business days after the United States District Court for the District of Maryland's approval of the Settlement becomes final and non-appealable.
2. No later than the fifth business day after the United States District Court for the District of Maryland's approval of the Settlement becomes final and non-appealable, the Plaintiff will file appropriate papers to effectuate the voluntary dismissal of his action with prejudice.
3. By entering into this Stipulation, the Parties do not waive any rights not specifically addressed herein. This Stipulation is without prejudice to the right of any Defendant to raise any argument or defense of any kind concerning any of the claims in this Action. By entering into this Stipulation, each Defendant preserves all objections, arguments, defenses, and challenges of any kind to the claims in this Action.

Date: July 7, 2023

Respectfully submitted,

/s/ J. Christian Word

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Attorney for Plaintiff

IT IS SO ORDERED

DATED: July 11, 2023



HONORABLE PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE